

c. Remarks

The amendments to claims 1 and 13 are, e.g., supported at page 3, lines 6-11.

New claim 21 is, e.g., supported by Figs. 1C – 1E. Since the Office Action does not mention the preliminary amendment of June 6, 2003, Applicants request confirmation that said amendment has been entered.

At page 2, the Office Action rejects claims 1-20 as anticipated by U.S. Patent 4,916,534 of Takahashi et al (Herein, referred to as Takahashi.).

Amended claims 1 and 13 recite a compound GRIN lens configured to carry light about the length of the probe. Since Takahashi does not teach a probe with such a compound GRIN lens, amended claims 1 and 13 are novel over Takahashi.

Claims 2-12 and 14-21 are novel, at least, by their dependence on claim 1 or 13.

Also, while claims 4, 7, and 21 recite that the compound GRIN lens has an objective GRIN lens coupled to a relay GRIN lens, Takahashi does not disclose such a compound GRIN lens. Even if Figures 17-19 of Takahashi show GRIN lenses, col. 4, lines 15-19, states that these Figures describe "objective optical systems" in contrast to the objective and relay GRIN lenses recited by claims 4, 7, and 21. For this second reason, claims 4, 7, and 21 and dependent claims 5 – 6 and 8 are novel over Takahashi.

While claim 13 recites a scanning step, the Office Action does not cite any teaching of such a step from Takahashi. The lack of a citation of such a teaching is another reason that the rejection of claim 13 and 14 – 21 should be withdrawn.

Applicants respectfully requests allowance of claims 1 – 21 as presently pending.

In the event of any non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit Lucent Technologies Deposit Account No. 12-2325 as required to correct the error.

Respectfully,

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